BOIES, SCHILLER & FLEXNER LLP
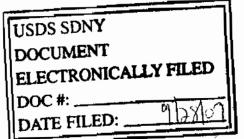
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CHAMBERS OF
COLLEEN McMAHON

September 27, 2007

By Facsimile

The Honorable Colleen McMahon
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 640
New York, NY 10007

Re: Contstrutora Norberto Odebrecht, S.A. v. General Electric Co., *et al.*, No. 07-Civ-8014 (CM)

Your Honor:

Pursuant to the briefing schedule set down by the Court, plaintiff Construtora Norberto Odebrecht, S.A. ("CNO") is today filing its opposition to defendants' motion to dismiss the complaint in the above-referenced matter. We write, on CNO's behalf, to request that oral argument be granted on that motion.

Further, CNO renews its request, made in the September 12, 2007 Declaration of Howard Vickery and at the September 13, 2007 argument on its motion for a temporary restraining order and preliminary injunction, that the Court enter an order sealing Exhibit D to the September 12, 2007 Declaration of José Bonifácio Pinto Júnior ("Pinto Declaration"), the January 11, 2006 Minutes of Meeting ("MOM"), which will be filed with CNO's opposition to the motion to dismiss.

The Court has previously agreed that sealing the MOM is appropriate in light of the sensitive commercial information it contains. *See* Transcript of September 12 [sic], 2007 Hearing Before the Honorable Colleen McMahon, at 33:24-25 ("I agree with you that in the MOM there is some stuff that ought not to be made public."). Defendants did not object to that request. *See id.* at 33:12-13. Accordingly, CNO respectfully requests that the Court endorse the enclosed proposed order today, so that CNO may file without risking disclosure of its confidential information.

BOIES, SCHILLER & FLEXNER LLP

Hon. Colleen McMahon
September 27, 2007
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Thank you for your consideration in this matter. We remain at the Court's disposal.

Sincerely yours,

Howard L. Vickery

Encl.

cc: Richard Rothman (by cmail)
       Vernon Broderick (by email)